

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WARREN WEDDINGTON

v.

BRIAN COLEMAN, et al.

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CIVIL ACTION

NO. 08-1765


ORDER

AND NOW, this *6th* day of *January*, ^{*2009*}~~2008~~, upon

consideration of the Petition for Writ of Habeas Corpus filed under 28 U.S.C. § 2254 and the Response thereto, and after review of the Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The Petition for Writ of Habeas Corpus is DENIED and DISMISSED;
3. A certificate of appealability shall not issue since, for the reasons set forth in the Report and Recommendation, a reasonable jurist could not conclude that the Court is incorrect in dismissing petitioner's procedurally defaulted habeas claims, and petitioner has not made a substantial showing of the denial of a constitutional right with regard to his remaining claim.

BY THE COURT:


JOEL H. SLOMSKY, J.